



City of Seattle

Gregory J. Nickels, Mayor

Department of Design, Construction and Land Use

Diane M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2207705

Applicant Name: Rose Sheppard for COBB Development, L.L.C.

Address of Proposal: 6512 42nd Avenue Southwest

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into four (4) unit lots. This subdivision of property is only for the purpose of allowing the sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The construction of townhouses has been approved under Project # 2208613.

The following approval is required:

Short Subdivision - to subdivide one existing parcel into four lots as a unit subdivision.
(Chapter 23.24, Seattle Municipal Code).

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

☐ DNS with conditions

☐ DNS involving non-exempt grading, or demolition,
or involving another agency with jurisdiction.

BACKGROUND DATA

Site & Area Description

The 6,246 sq. ft. property is located on the east side of 42nd Avenue Southwest, between Southwest Morgan and Southwest Holly Streets in West Seattle. The site has 50 feet of street frontage on 42nd Avenue Southwest which is paved and improved with gutters, concrete curbs, planting strips and sidewalks on both sides of the street. There is a platted alley at the rear (east)

of the property for access from South Morgan Street. The majority of the alley is paved but it does not extend the entire block. There are unimproved portions near the southern end of the alley therefore it dead ends. The subject parcel will not have alley access from South Holly Street. Currently there is an existing residential structure and detached garage located on the lot. The parcel slopes down slightly from the alley although it is not located in any designated or identified Environmentally Critical Area.

The subject property and lots to the north and south are zoned Multi-family Lowrise 1 (L-1). Properties to the west are zoned Neighborhood Commercial 2 with a height limit of 30 feet (NC2-30), Neighborhood Commercial 3 with a height limit of 30 feet (NC3-30) and Lowrise 2 (L-2). Property across the alley to the east are zoned Single Family 5000 (SF5000). Development in the area consists of small multi-family structures and one and two-story single family houses. Commercial development occupies most of the property along California Avenue Southwest and Fauntleroy Way Southwest.

Proposal Description

The proposal is to subdivide one parcel into four (4) unit lots with vehicle access provided from the alley. The existing one-story single family residence and detached garage located on the parcel will be removed. Vehicle access to the proposed lots and future dwelling units will be via an ingress, egress and utility easement adjacent to the north line, which provides access to a central auto court and the garages within each unit. The proposed unit lot sizes are: A) 1,405 sq. ft., B) 1,718 sq. ft., C) 1,468 sq. ft.; and D) 1,655 sq. ft. The lots either have direct pedestrian access to 42nd Avenue Southwest or access via an easement, depending on their location.

Note that the construction of the townhouses had been reviewed for consistency with the applicable provisions of the Seattle Municipal Code under a separate permit (Project # 2208613). The subject of this analysis and decision is only the proposed division of land.

Public Comments

The comment period for this proposal ended on February 19, 2003. Three comment letters were received which expressed opposition of the building of the two structures because of traffic congestion in the alley, lack of on-street parking, noise, and view blockage.

ANALYSIS - SHORT SUBDIVISION

Pursuant to SMC 23.24.040 no short plat shall be approved unless all of the following facts and conditions are found to exist:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities, and fire protection, as provided in Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions, in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees;*
7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Based on information provided by the applicant, referral comments from the Drainage Section, the Fire Department, Seattle Public Utilities (City Light and the Water Department), and review by the Land Use Planner, the following findings are made with respect to the above-cited criteria:

1. The subject property is zoned for multi-family residential use. The allowable density of the subject property is one unit per 1,600 sq. ft. of lot area. Given a lot area of approximately 6,247 sq. ft., four (4) units are allowed and four are proposed. Maximum lot coverage is 50%. Front setbacks are an average of the neighboring adjacent lots, the maximum setback is fifteen (15) feet and the minimum is five (5) feet. The minimum side setback is five (5) feet; the actual required setback is based on the height of the structure adjacent to the side property line. Minimum rear setback is twenty (20) feet or twenty (20) percent of the lot depth, in no case less than fifteen (15) feet. The parent lot provides adequate buildable area to meet applicable setbacks, lot coverage requirements, and other Land Use Code development standards.

2. The lots are provided vehicular access via the concrete paved alley via a proposed ingress, egress and utility easement, consistent with the requirements of the Code.

The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

Seattle City Light provides electrical service to the subject property and has indicated an easement is required. The easement as described in the Seattle City Light memorandum dated March 23, 2003 and "Exhibit A to City of Seattle Short Subdivision No. 2207705" shall be included on the final plat prior to recording.

3. This area is served with domestic water, sanitary sewer, and storm drain facilities by the City of Seattle. Availability of service is assured subject to standard conditions of utility extension. The Short Plat application has been reviewed by Seattle Public Utilities and Water Availability Certificate No. 2003-0107 was issued on February 4, 2003 indicating that a recorded easement allowing underground water service to back lots A and B is required. All conditions on the certificate must be met prior to receiving water service.

New construction with discharge to the sanitary sewer will require a side sewer permit. Plan review requirements regarding stormwater were made at the time of building permit application. If the project includes greater than 5000 square feet of new or replaced impervious surface, a comprehensive drainage control plan prepared in accordance with SMC 22.802.015D and 22.802.020 is required.

4. One objective of the subdivision process is to increase opportunities for new housing development in order to ensure that there will be adequate capacity for future housing need. An equally important objective is to ensure that new development is compatible with neighborhood character. The proposed subdivision will meet all the applicable Land Use Code provisions. The proposed development has adequate access for vehicles, utilities and fire protection, and has adequate drainage, water supply and sanitary sewage disposal. Address signage shall be posted such that addresses for all units are visible from 42nd Avenue Southwest and an easement or a covenant shall be recorded with the final plat to ensure that the address signage is maintained. The public use and interests are served by permitting the proposed subdivision of land while also maintaining the character of the neighborhood because additional opportunities for owner occupied housing would be provided within the City limits. The proposal will meet all applicable criteria for approval of a short plat upon completion of the conditions in this analysis and decision.
5. This site is not an environmentally critical area as defined in SMC 25.09.240. There are no environmentally critical areas mapped or otherwise observed on the site.
6. There are no trees on site that meet the size requirements to be regulated under this criterion. Future construction is subject to the provision of SMC 23.45.015.C, which provides that existing trees must be preserved or new trees must be planted.
7. The applicant proposes the construction of two 2-unit structures for a total of 4 units on the subject site. Pursuant to SMC 23.24.045B., sites developed or proposed to be developed with townhouses, cottage housing, clustered housing, or single-family housing may be subdivided into individual nonconforming unit parcels if development as a whole on the parent lot meets applicable Land Use Code development standards. To assure that future owners have constructive notice that additional development may be limited due to nonconformities, the following statement shall be required to be included as a note on the final short subdivision:

*The unit lots shown on this site are not separate buildable lot.
Additional development on any individual unit lot in this
subdivision may be limited as a result of the application of
development standards to the parent lot pursuant to applicable
provisions of the Seattle Land Use Code.*

The conformance of the proposed development as a whole with the applicable Code Provisions has been reviewed under Project # 2208613. These provisions include, but are not limited to, setback, lot coverage, building height, usable open space, landscaping, and parking requirements. Consistent with Section 23.24.045C., additional development

of the proposed lots may be limited. Subsequent platting actions, or additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot. Subsequent actions that would create any nonconformity of proposed Lots A, B, C and D are also not permitted. Consistent with Section 23.24.045D., access easements and joint use and maintenance agreements shall be executed for parking areas and driveway and pedestrian access. Therefore, the proposed short subdivision conforms to the provisions of Section 23.24.045 for Unit Lot Subdivisions.

SUMMARY - SHORT SUBDIVISION

The lots to be created by this unit subdivision may not be individually consistent with the provisions of SMC 23.24.045 for the Lowrise 1 zoning development standards such as setbacks, density, and structure width and depth. However, the development when considered as a whole meets all standards set forth in the Land Use Code. This unit subdivision is provided with vehicular access, and public and private utilities and access, including emergency vehicles. Adequate provisions for water supply and sanitary sewage disposal have been provided for each lot and service is assured, subject to standard conditions governing utility extensions. An adequate provision for drainage control has also been provided.

DECISION - SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

CONDITIONS - SHORT SUBDIVISION

Conditions of Approval Prior to Recording

The owner(s) and/or responsible party(s) shall:

1. Have final recording documents prepared by or under the supervision of a Washington state licensed land surveyor. Each lot, parcel, or tract created by the short subdivision shall be surveyed in accordance with appropriate State statutes. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown. Lot areas shall be shown on the plat. All existing structures, principal and accessory, shall be shown on the face of the plat, and their distances to the proposed property lines dimensioned.
2. Submit the final recording forms for approval and any necessary fees.
3. Include an easement to provide for electrical facilities and service to the proposed lots as required by Seattle City Light (aka Exhibit A) on the final Short Subdivision.
4. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this

subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code.

5. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.
6. Provide an easement or covenant to allow for posting of unit lot addresses visible from 42nd Avenue Southwest.

Signature: (signature on file) Date: June 19, 2003
Darlene Edwards, Land Use Planner
Department of Design, Construction and Land Use

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